

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE**

JERRY W PHILLIPS,

Petitioner,

v.

RAYMOND BYRD,

Respondent.

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No. 3:18-CV-00062-RLJ-HBG

ORDER

In accordance with the accompanying memorandum opinion, Petitioner's pro se petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 [Doc. 2] is **DENIED**, and this action is **DISMISSED**. The Clerk is **DIRECTED** to close the civil file.

Also, for the reasons set forth in the accompanying memorandum opinion, a COA will **NOT ISSUE**. Therefore, Petitioner is **DENIED** leave to proceed *in forma pauperis* on any subsequent appeal. 28 U.S.C. § 2253; Rule 22(b) of the Federal Rules of Appellate Procedure.

IT IS SO ORDERED.

ENTER:

s/ Leon Jordan

United States District Judge

ENTERED AS A JUDGMENT

s/ John Medearis

CLERK OF COURT